

EXHIBIT A

Rabbitt, Brian C.

From: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>
Sent: Wednesday, February 12, 2025 4:16 PM
To: Haney, Patrick; Krishnan, Sabita (CFPB)
Cc: Rabbitt, Brian C.; Kutcher, Matthew; Rogers, Michelle
Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

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Patrick,

Thank you for preparing the stipulation. Upon further consideration, we believe it may be logistically easier, and quicker, if you present the court with an unopposed motion seeking the relief in the stipulation. You have our permission to state that we have been authorized to agree to a stay.

Regards,

Rebecca

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From: Haney, Patrick <phaney@jonesday.com>
Sent: Wednesday, February 12, 2025 12:46 PM
To: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>
Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>; Kutcher, Matthew <MKutcher@cooley.com>; Rogers, Michelle <mrogers@cooley.com>
Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

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Thank you, Rebecca. Here is a draft joint stipulation and proposed order.

Best,
Patrick

Patrick Haney
Partner
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phaney@jonesday.com

From: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>
Sent: Wednesday, February 12, 2025 9:03 AM
To: Haney, Patrick <phaney@jonesday.com>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>
Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>; Kutcher, Matthew <MKutcher@cooley.com>; Rogers, Michelle <mrogers@cooley.com>
Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

Patrick, we agree to seek a pause in this case. If you have the stipulation drafted, please circulate for our review.

Regards,

Rebecca

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From: Haney, Patrick <phaney@jonesday.com>
Sent: Tuesday, February 11, 2025 10:59 AM
To: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>
Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>; Kutcher, Matthew <MKutcher@cooley.com>; Rogers, Michelle <mrogers@cooley.com>
Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

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Rebecca,

We are following up on our communication below. Given the significant uncertainty regarding the status of this matter in light of the Acting Director's directive, we had asked to hear back from you by COB yesterday, but we did not – in fact, we have heard nothing from you at all since your email proposing a 56-day extension but declining to agree to a stay last week (before the Acting Director's weekend directive).

We respectfully need to hear from you regarding whether you will agree to a stay. If the Bureau has paused operations and Staff has been directed to stop all enforcement and litigation activity (other than to seek pauses of litigation) – as has been publicly reported and as has been borne out in court filings across the nation – then we fail to understand why you will not similarly agree to a stay here. As we have explained, our clients are incurring significant costs to prepare responses to the Bureau's complaint, which are due in only a few weeks under the current schedule (and which you have acknowledged should be extended by at least 56 days). We continue to believe that the proper course in light of the Acting Director's directive would be to pause this matter entirely until there is more certainty regarding the Bureau's status and position as to this case. Please let us know your position on a stay as soon as possible. If we do not receive a response today, we may be forced to seek relief from the Court to address this uncertainty and to avoid the unnecessary expenditure of judicial and party resources.

Best,
Patrick

Patrick Haney

Partner

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phaney@jonesday.com

From: Haney, Patrick

Sent: Monday, February 10, 2025 12:19 PM

To: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>

Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>; Kutcher, Matthew <MKutcher@cooley.com>; Rogers, Michelle <mrogers@cooley.com>

Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

Rebecca,

Thank you. We have copied Branch's counsel into this thread for awareness.

We are aware of public reporting that Acting Director Vought issued a new directive to Bureau employees over the weekend instructing them to "[n]ot make or approve any filings ... by the Bureau in any litigation, other than to seek a pause in proceedings." Assuming this reporting is correct, we are confused as to how it is consistent with your statement below that you "don't think a stay or pause is necessary" in this matter. Given the significant uncertainty here, we reiterate our request that the Bureau consent to a stay of the litigation. Can you please confirm that you have conferred with leadership following Acting Director Vought's reported instructions over the weekend and that your position opposing a stay remains the same?

If you remain unwilling to join a request for a stay, we would be amenable to your proposed extension as a temporary compromise, though we continue to think that a broader pause would be more appropriate here and reserve our right to revisit the issue if necessary as events develop.

Given the significant uncertainty, and the potential need for the parties to seek the Court's involvement, please let us know your position by **5 PM today**, and we will prepare the appropriate stipulation.

Best,
Patrick

Patrick Haney

Partner

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From: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>
Sent: Friday, February 7, 2025 12:55 PM
To: Haney, Patrick <phaney@jonesday.com>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>
Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>
Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

Dear Patrick,

We don't think a stay or pause is necessary, but we would be amenable to a 56-day extension of the briefing schedule, as follows:

- Response to Complaint: May 2, 2025
- Oppositions to Motions: June 6, 2025
- Reply in Support of Motions: June 20, 2025

Please let us know if this is acceptable.

Thanks,

Rebecca

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From: Haney, Patrick <phaney@jonesday.com>
Sent: Thursday, February 6, 2025 8:32 PM
To: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>
Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>
Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

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Rebecca, thanks for your email. As mentioned in my original email, we want to confer with you on the potential for a pause in the litigation given the Acting Director's directive and the upcoming deadlines in this matter. We respectfully submit that is the appropriate course and that it makes little sense to expend party and judicial resources briefing the parties' motions to dismiss given the uncertainty surrounding that directive and the Bureau's position here. To that end, we intend to move the court for a stay of this litigation for 120 days, to vacate all existing deadlines related to Walmart's response to the complaint, and for a status conference to be set at the court's convenience in June. Alternatively, we intend to seek a status conference next week at the court's convenience to discuss this matter and the impact of the Acting Director's directive. We remain eager to confer with you on this, and we believe that joint motion with the Bureau would be the appropriate course here. We will make ourselves available anytime tonight or tomorrow after 10 AM to discuss. But with respect, we need to hear from you by 5 pm ET, because we intend to move the court tomorrow.

Please let me know a time to speak tomorrow or your position.

Patrick Haney

Partner

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From: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>

Sent: Thursday, February 6, 2025 4:47 PM

To: Haney, Patrick <phaney@jonesday.com>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>

Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>

Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

Thanks Patrick, we have received your email and will be back in touch soon.

Rebecca

Rebecca Golubock Watson

Senior Litigation Counsel | Office of Enforcement

(202) 435-7895

Consumer Financial Protection Bureau

consumerfinance.gov

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From: Haney, Patrick <phaney@jonesday.com>

Sent: Thursday, February 6, 2025 10:45 AM

To: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>; Mauri, Nicole (CFPB) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>

Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>

Subject: RE: CFPB v. Walmart (D. Minn.) -- Request for Call

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Good morning, Rebecca,

Please let us know if you have time for a call today. We will make ourselves available at your convenience.

Best,
Patrick

Patrick Haney

Partner

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From: Haney, Patrick

Sent: Wednesday, February 5, 2025 4:26 PM

To: Watson, Rebecca (CFPB) <Rebecca.Watson@cfpb.gov>; Mauri, Nicole (CFPB)(she/her/hers) <Nicole.Mauri@cfpb.gov>; Krishnan, Sabita (CFPB) <Sabita.Krishnan@cfpb.gov>

Cc: Rabbitt, Brian C. <brabbitt@jonesday.com>

Subject: CFPB v. Walmart (D. Minn.) -- Request for Call

Rebecca and team:

We've seen public reporting of Acting Director Bessent's directive regarding the pausing of ongoing litigation and enforcement matters. We're also aware of other matters where the CFPB has sought to pause ongoing litigation in light of that directive, including the emergency notice the Bureau filed in the Texas Bankers Assoc. v. CFPB matter in the Fifth Circuit (stating that "Counsel for the CFPB has been instructed not to make any appearances in litigation except to seek a pause in proceedings. Accordingly, counsel for the CFPB will appear at today's hearing but will not present argument other than to respectfully request a pause in proceedings"); and the emergency motion the Bureau filed in the CFPB v. Capital One case in the Eastern District of Virginia (seeking a stay and stating that "To promote consistency with the goals of the new Administration, on February 3, 2025, Acting Director Bessent directed counsel for the Bureau not to make filings or appearances in any litigation, other than to seek a pause in proceedings").

Given this and the upcoming deadline for Walmart's response to the Bureau's complaint, we would like to urgently discuss the impact on this matter of Acting Director Bessent's directive. In particular, we would like to discuss a pause of this litigation, which would avoid the needless expenditure of resources by the parties and the court as our response date approaches.

Can you please let us know if you can meet and confer later today (2/5) or as early as possible tomorrow (2/6)? We will make ourselves available at any time that works for you.

Thanks,
Patrick

Patrick Haney

Partner

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